



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes CNL, FF

Introduction

This hearing was convened by way of conference call concerning an application made by the tenant for an order cancelling a notice to end tenancy for landlord's use of property and to recover the filing fee from the landlord for the cost of the application.

The tenant and the landlord both attended the hearing.

During the course of the hearing, the parties agreed to settle this dispute on the following conditions:

1. The landlord will have an Order of Possession effective July 31, 2013 at 1:00 p.m. and the tenancy will end at that time;
2. The tenant will have a monetary order in the amount of \$50.00 as recovery of the filing fee;
3. The tenant will not pay rent for the month of July, 2013 as per Section 49 of the *Residential Tenancy Act*;
4. The tenant may end the tenancy earlier by giving the landlord at least 10 days' written notice to end the tenancy, and must pay the landlord the proportion of the rent due to the effective date of the tenant's notice and the tenant will be entitled to compensation in an amount that is the equivalent of one month's rent payable under the tenancy agreement.

Conclusion

For the reasons set out above, I hereby grant an Order of Possession in favour of the landlord effective July 31, 2013 at 1:00 p.m.

I order the parties to comply with the settlement agreement above.

I further order the parties to comply with Section 38 of the *Residential Tenancy Act* as it relates to the security deposit.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: July 03, 2013

Residential Tenancy Branch